

REMARKS

Claims 1-10, 12 and 14-20 are pending. By this Amendment, claims 1-3, 12, 18 and 19 are amended, claims 11 and 13 are canceled without prejudice or disclaimer. Support for amended claims 1, 18 and 19 can be found at least at paragraph [0062] of the specification and at Fig. 3. No new matter is added.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiners Rush and Ahmed in the July 17 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

As discussed during the personal interview, independent claim 1, and similarly recited in independent claims 18 and 19, recites searching a plurality of sub-categories of categorized text data, of the parent category, for text data corresponding to the category of the image according to the predetermined criterion, wherein each corresponding sub-category becomes the parent category next iteration of the search. Simuske and Cok, either alone or in combination, do not disclose or suggest this feature.

Specifically, Simske discloses a system that generates annotation data 203 of selected image data 201 based on associate data (caption) 202 describing the image data 201, and

annotates the selected image data 201 with the generated annotation data 203. However, Simske merely discloses that the system compares or matches associated data 202 with annotation data 203 stored in a database that containing relevant text, term or expressions, and annotates the image data 201 with the matched annotation data 203. See Fig. 6 and column 4, lines 25-52. Therefore, Simske does not disclose that annotation data 203 stored in a database is categorized and sub-categorized, and that the system iteratively searches a plurality of sub-categories of stored annotation data 203 corresponding to the associated data 202. Thus, Simsuke does not disclose that the system iteratively searches a plurality of sub-categories of categorized text data, as recited in independent claim 1, and similarly recited in independent claims 18 and 19.

Cok does not make up for the above-noted deficiencies of Simske. Therefore, independent claims 1, 18 and 19 define patentable subject matter. Claims 2-17 and 20 depend from independent claims 1 and 19, respectively, and therefore also define patentable subject matter. Accordingly, Applicants respectfully request that the rejection of claims 1-20 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James A. Oliff", enclosed within a large, loopy oval shape.

James A. Oliff
Registration No. 27,075

Linda M. Saltiel
Registration No. 51,122

JAO:AXS/hs

Date: July 29, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037
--